



FOUR ESSAYS

ON THE

RIGHT AND PROPRIETY

OF

SECESSION BY SOUTHERN STATES,

BY

A MEMBER OF THE BAR OF RICHMOND.

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RICHMOND, VA.  
RITCHIE & DUNNAVANT, PRINTERS.  
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## Have the Southern States a Right to Secede ?

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THE abolitionists and their allies in the northern and eastern states, have been engaged for more than twenty years in the most cruel, unnatural and unholy warfare upon the peace, safety and property of the southern states—disturbing their repose, and endangering sometimes the lives of their people, and seeking, by all the means at their command, to destroy the tenure by which they hold the most valuable portion of their property. Their preachers, presses and politicians have habitually denounced the people of the south as a nation of sinners, in the daily practice of iniquity, because of the existence of African slavery among them. Our slaves have been excited to insurrection, by the denunciation of their owners and the denial of the title of those owners. Men have been instigated to invade our soil and slay our people; and their leader, who, in conformity to law, expiated his crimes upon the gallows, has been treated as a martyr, and honors paid to his memory. Our slaves have been enticed to abscond, and then forcibly withheld from us, in violation of all sound morality, the comity of friendly states, and the provisions of the constitution, which were designed to protect the rights and property of the south.

The equality of the south in the Union has been denied, and proclamation has been made that the territories, which are the common property of all the states, shall be appropriated hereafter exclusively to the use of a part of them, and shall never be enjoyed by the people of the south, unless they renounce slavery, although the largest and most valuable territory, yet to be settled, lies deep in the south, below the

36th parallel of latitude—and its occupation by an anti-slavery population will be utterly incompatible with the safety of the south : Until finally, it has been announced, that the country cannot exist half free and half slave ; that the conflict, therefore, between the friends and enemies of the institution of slavery is irrepressible, and must be continued until one or the other shall be exterminated ; and upon this platform of irrepressible and perpetual enmity to us and our institution, which is inseparably connected with our moral, social and political existence, an obscure man has been elected to the presidency, because, and only because he has made himself notorious by the avowal of his enmity to us, our rights and institutions, and is regarded as the author of the maxim, that the conflict between slavery and its opponents, is irrepressible. With the election of this man to the chief executive office of the Union, in which he will be the commander in chief of the army and navy, comes another proclamation from the party which elected him, and their allies, that they have the right and the power to compel us, by force, to submit to any laws which they may pass ; and we know that they already have the control of the house of representatives, and will have undisputed control of the senate as soon as the elections, soon to occur, shall be made in Pennsylvania and California ; and when Kansas and Nebraska or either shall be admitted into the Union, their power will be still farther increased. Nay, they already have control of the senate ; for if the senators from South Carolina were in their seats, the vote of Douglas, our enemy, would decide every thing, and of course, decide against us. But without the senators from Carolina, the power is complete, without an appeal to the lesser Lincoln, from Illinois.

For this war upon them, the southern people have given no provocation. The puritanical pretext for it has been, and is, abhorrence to African slavery as it exists in the southern states. But for this, if it were a sin, instead of a blessing, as

it is, the southern people are, to say the least, not more culpable than those of the north, who participated most actively in introducing slaves into this country, and when they found it not profitable to keep them, though no sin to import them, they sold what they had to the southern people; and the constitution acknowledges and guarantees our property in them.

Our institution of slavery is not, therefore, a provocation offered by us to the people of the north, and no other provocation is pretended; for the south has never, at any time, made an attempt to interfere with the institutions of the north, or, to deprive them of their equal rights in the Union; and therefore we speak the truth only, when we say that the south has offered no provocation for this cruel and unnatural warfare upon her—this determination to degrade the south, then impoverish, if not depopulate her, and finally, govern her as a mere province.

This condition of things has naturally and necessarily aroused and deeply excited the southern people, and calls upon them to say, deliberately and explicitly, how they will meet it. Whether they will tamely submit to it, and, in advance, consent to and invite the humiliation, degradation, oppression and ruin which is foreshadowed by it, and must succeed it, under the government which will exist on and after the 4th of March next, or will resist, and by anticipating, prevent them.

In my opinion, honor, pride, patriotism, the love we bear our wives and children, the duty to protect them, and all the instincts of self-preservation, command us to resist.

It is said by some that the election of Lincoln is not sufficient cause for resisting, and we must wait for an *overt act*. But this doctrine is, I submit, founded in a total misconception of the case and want of just perception of the concrete ill which the election of Lincoln presents, and of the meaning of the very thing which the objectors call for, to wit, an overt act. We do not complain that the people of the

non-slaveholding states have, by their numerical superiority, elected a president, although it has been their pleasure to select a "rail splitter" for that high station; nor should we complain if they had elected a non-slaveholder who does not approve slavery, if they had selected one who is so far kind that he is capable of being just to us, and will not violate the constitution and his oath in order to do us injury. When we behold, however, a warfare of twenty years' continuance (and more), unprecedented in modern times, among civilized nations, for its violence, malignity and disregard of social, moral and constitutional obligations, culminating in the election, to the chief executive office of the nation, of a man who has evinced no fitness or qualification for it, and is unknown to fame by any act or speech which should commend him as an example, or entitle him to preferment, because he has made himself notorious by the avowal of the most implacable hatred to us and our institutions, with a denial to us of any constitutional protection, the man and all thought of him are merged in the representative; and two conclusions present themselves in bold relief and with startling effect. The first is, that the spirit of aggression has not subsided or abated, but has increased and become more violent; and the second is, that it controls the government, and has the power to execute its will and gratify its malignity, and has selected its leader with a view to the gratification of those passions, and the consummation of its purpose of degrading and disfranchising the south. As the bravest is always selected to lead a storming party, the wisest to counsel, and the most eloquent to speak, so the party leader is chosen, not because he differs with his party, but because he concurs and concurs fully with it; and terrible is the wrath which it pours upon him when he fails or refuses to use the power which the party has conferred upon him for its benefit and according to its maxims; and rarely, too rarely, unfortunately, are party leaders found, who can or will distinguish between

their country and their party, unless it be to serve the party, and not the country. The recent divisions in the south unhappily furnish both argument and illustration upon this subject, which cannot be made stronger or more striking.

Are the anti-slavery men and abolitionists of the north more exempt from frailty than the party men of the south?

Those who counsel us to wait for the farther action, the "overt act" (as they term it) of Lincoln and his party, in the hope that he will betray them and transfer the quarrel from us to them, deceive themselves, and would, therefore, mislead, fatally mislead the south.

Would they counsel us to arm a madman, in the hope that reason would return before he pulled the trigger? Would they commit themselves, without protection, to the mercy of the highwayman and assassin? Would they commit the lamb to the wolf, in the hope that his nature and appetite would change before he devoured it? Would they advise the watchman to wait until the torch of the incendiary has been actually applied and the house in flames, before he raises a cry or attempts to arrest the offender? All will answer no! How then is it that the people of the south are asked to commit themselves to the mercy and discretion of fanatics, who for more than twenty years have been seeking the power which they have now acquired, for the purpose of accomplishing southern ruin by it?

If there was wisdom in trusting yourself, at any time, without proper guards, to the mercy or forbearance, or returning sense of justice, of your enemy, though he was neither a fanatic or a knave, what wisdom or prudence can there be in committing the south to the mercy of a black republican and abolition government, in the hope that Lincoln, the elected chief of the party, will change his and their policy towards us, when the hope is founded on the imputation that he is a knave, who, for the purpose of getting into power, professed principles which he did not entertain, or,

entertaining them, he will now betray both his principles and his party? If the friends of a knave cannot safely trust him, how shall his enemies do it? But in my opinion, there is no ground for the supposition that Mr. Lincoln intends to abandon the principles which he and his party have professed, and betray his party; and if there was, it would only prove the folly of relying on the promises and professions of such a man. I believe, therefore, that the black republican and abolition party will, as soon as it is invested with the power of the government, turn it upon us, first, for the purpose of carrying out its principles in the form of law, and then, of compelling obedience to them by force, if they can, with the advantage of being able to say, that we have submitted to their government with a knowledge of their principles, and resistance to their laws is, therefore, treason; and, with our people distracted, disheartened and torn, by internal factions, when they find themselves involved in a dilemma, which makes them traitors to the federal government, if they obey the state, and traitors to the state, if they obey the federal government. It is not difficult to foretell the fate of a people thus distracted and divided, in the face of a united, powerful and vindictive foe.

In my opinion, therefore, the southern states should, without delay, withdraw from the present confederacy, and form a new one, in which their people will be safe from the aggressions of their enemies, and may enjoy their property, in peace, surrounded by plenty. I should content myself on this point, with this expression of opinion, in the conviction that at this day none could be found to deny the right of the people of a state to "alter or abolish the form of their government," whenever it shall be found to be destructive of their rights and liberty: But, admonished, as we are by Mr. Douglas, in his Norfolk speech, and by the president, in his late extraordinary message, that there are persons who deny the right of one or all of the southern states to withdraw

from the present confederacy of states, and that the great authority of Madison is invoked to sustain it, I deem it respectful and proper to submit some of the reasons which sustain my opinion :

And, first, I refer to the history of the constitution. In the convention which framed the constitution, Mr. Patterson of New Jersey, expressed the opinion that a compact, formed by unanimous consent, could be dissolved, only by unanimous consent. Mr. Madison denied the doctrine, saying that it does not result from the nature of compact, and that “a breach of the fundamental principles of the compact, by a part of the society, would certainly absolve the other part from their obligations to it. If the breach of *any* article by *any* of the parties does not set the others at liberty, it is because the contrary is implied in the compact itself, and particularly by that law of it which gives an implied authority to bind the whole in all cases. This latter circumstance shows that we are not to consider the federal Union as analogous to the social compacts of individuals ; for if it were so, a majority would have a right to bind the rest, and even form a new constitution, which the gentleman from New Jersey would be among the last to admit. If we consider the federal Union as analogous not to the social compacts among individual men, but to the conventions among states, what is the doctrine resulting from the convention ? Clearly, according to the expositors of the law of nations, that a breach of any one article by any party, leaves all the other parties at liberty to consider the whole convention as dissolved, unless they choose rather to compel the delinquent to repair the breach. In some treaties, indeed, it is expressly stipulated that a violation of particular articles shall not have this consequence, and even that particular articles shall remain in force during war, which is, in general, understood to dissolve all subsisting treaties. But, are there any exceptions of this sort in the articles of confederation ? So far from it, there is

not even an express stipulation that force shall be used to compel an offending member of the Union to discharge its duty."

And in the 21st number of the Federalist, which was an elaborate exposition of the constitution, by Alexander Hamilton, John Jay and James Madison, over the signature of "Publius," written with the view to commend the constitution, Mr. Hamilton says, "There is no express delegation of authority to compel delinquent members; and if such a right should be ascribed to the federal head, as resulting from the nature of the social compact between the states, it must be by inference and construction, in the face of that part of the second article by which it is declared 'that each state shall retain every power, jurisdiction and right not delegated to the United States, in congress assembled.'" Mr. Hamilton then proceeds to argue that the defect in the articles of confederation, produced by this restricting and reserving clause, was properly omitted in the constitution, and therefore the power to coerce "delinquent members" existed.

But, by the tenth amendment to the constitution, this restricting and reserving clause was restored, and, therefore, by the admission of both Mr. Hamilton and Mr. Madison, the power to control and coerce "delinquent members" does not exist. Is there any one of the present day more able than Hamilton and Madison, or any federalist more devoted than Hamilton? Who will be hardy enough to claim for the federal government powers which Hamilton and Madison denied to it?

Again: In the 31st number of the Federalist, Mr. Hamilton says, "The state governments, by their original constitutions, are invested with complete sovereignty;" and in the 32d number, he says, "that an entire consolidation of the states into one complete national sovereignty, would imply an entire subordination of the parts. But as the plan of the convention aims only at a partial union or consolidation, the

state governments would clearly retain all the rights of sovereignty, which they before had, and which were not, by that act, exclusively delegated to the United States." And Virginia, in her act of ratification of the constitution, declared, "in the name and on behalf of the people of Virginia, that the powers granted under the constitution, being derived from the people of the United States, may be resumed by them whensoever the same shall be perverted to their injury and oppression, and that all power not granted thereby, remains with them, and at their will." And the 10th amendment of the constitution, conforming to the ratification by Virginia, expressly declares, as I have before stated, that "the powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." And the government of the United States has been recognized by every department of it, including the supreme court, under the guidance of Marshall and Taney, and by the people, as a government of limited power, deriving its whole power from the grants in the constitution.

It may be safely affirmed, then,

I. That the government of the United States is not a consolidated, but a confederated government of limited authority.

II. That the violation of the constitution by one section, absolves every other from its obligation to that constitution, and the government created by it.

III. That the states have retained, and now possess all the attributes of sovereignty, which they have not exclusively vested in the general government—and

IV That there is no clause in the constitution forbidding any state to secede from it, and no grant of power to the general government to make war upon any state, if she does secede, and compel her, by force of arms, to remain in the Union.

From these positions, the result seems to be inevitable and

irresistible, that the states have a right to dissolve the Union, if they all or a majority of them agree to do so, and that when the compact or constitution has been violated by any state, the other states, and each of them has a right to declare that compact at an end, and withdraw from it.

How can it be otherwise? That the states were originally sovereign, is conceded by all. That they have parted with a portion of that sovereignty, and retained all not parted with, is also conceded. That they have not, in terms, or by necessary implication, renounced the right to withdraw from the compact, and have not conferred upon the federal government power to declare war against or coerce a state, has been fully established.

Is not the conclusion, then, irresistible, that a state has the right to secede from the Union, whenever that Union becomes an oppressive and injurious bond to her, or its government or the other parties to the Union pervert it to her injury, disregard its provisions, or otherwise treat her as an enemy?

But even this is not a full statement of the argument in our favor, for although the conclusion from the premises already stated is irresistible, still its propriety may be made yet more apparent, by reference to other passages in the history of the constitution.

In the convention which formed the constitution, on the 29th day of May 1787, Mr. Randolph offered a plan of a government in a series of resolutions, the 6th of which, after enumerating various powers which ought to be conferred on the federal government, concluded with these words: "and to call forth the force of the Union against any member of the Union failing to fulfill its duty under the articles thereof." On the 31st of May the resolutions of Mr. Randolph being under consideration, Mr. Madison said, "that the more he reflected on the use of force, the more he doubted the practicability, the justice, the efficacy of it when applied to peo-

ple collectively and not individually. A union of the states containing such an ingredient, seemed to provide for its own destruction. The use of force against a state would look more like a declaration of war than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound. He hoped that such a system would be framed as might render this recourse unnecessary, and moved that the clause be postponed. This motion was agreed to *nem. con.* 2 vol. *Mad. Papers*, 732–761. At another time, on the 8th of June, he treated the idea of using force against a state as “visionary and fallacious.”

The subject was afterwards revived by Mr. Patterson of New Jersey, but it was repudiated by Mr. Hamilton as “impossible,” as “a war between the parties, and a dissolution of the Union will ensue”—p. 881. It was subsequently brought up again incidentally, in a debate, when George Mason scouted it, and said, “Will not the citizens of the invaded states assist one another, until they rise as one man, and shake off the Union altogether?” And he was followed and backed by Luther Martin; and the idea of coercing a state was not broached again.

Thus it appears, not only that the power to coerce a state was not granted, but, when asked for, was *expressly refused*. Can any man doubt now, even if he be the lowest and most slavish of the submissionists? Will not the people treat the man who talks of coercing a state, as they would the successor of John Brown? If Mr. Madison ever did maintain contrary doctrine, in correspondence with Mr. Alex. Rives, at a later period of his life, it is to be ascribed to the timidity and decay of age, and Mr. Rives may well regret that he ever exposed his weakness.

Mr. Buchanan, however, in that most remarkable of all presidential messages, while he concedes that there is no power of coercion, denies the right of secession. This is

indeed the foundation of a new school of rhetoric as well as of political ethics. The state has no right to secede, and yet no power has the right to prevent her from seceding ! I had always understood that in a state of legal society, there was a remedy for every wrong, and that right and duty were correlative, and, therefore, if I have no right to do a thing, it is my duty not to do it, and some party or power has the right to prevent me from doing it or to punish me for doing it. But it is immaterial to press that enquiry, because the material value of the right to secede is that it imposes the correlative obligation upon every one to permit secession ; and if it be conceded that there is no right to prevent it by force, then it matters not whether, in an ethical point of view, secession is rightful or not ; as whether rightful or not, it is peaceful, and if peaceful, it is immaterial whether it is rightful, so far as the other states are concerned. But if it is not to be peaceful, then it is of the gravest importance to show that it is rightful, as I have shown, and to point out the ill consequences of surrendering the right, which I will do in another chapter, with your leave.

VIRGINIUS.

## Ought the Southern States to Secede?

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I HAVE shown, I think conclusively, that the states collectively, or a majority of them, have a right to dissolve the Union; and that, upon a violation of the constitution by one of the states, the other states and each of them are absolved from the obligation of the compact which created the Union, and may rightfully withdraw from it—that is, secede. I propose now to enquire whether the southern states or any of them ought now to exercise this right? Before I proceed to do so, allow me to add to what I have already written on the first point—the question of right—that any other view of the obligations of the Union, makes it the most unintelligible anomaly on the one hand, and the most disgusting and insufferable despotism on the other—a government, to wit, which has no power to prevent its members from violating the constitution, and yet has the power and the authority to compel the injured parties to remain in the Union, and submit to injuries against which it cannot protect them, and against which the constitution will not permit them to protect themselves. In considering this question of the rights and obligations of the Union, it will be observed that there are but two parties to be regarded, viz: the majority states and the minority states; and the rights of the Union of which we hear so much talk, by which I suppose is meant the rights of the government of the Union, will be most clearly defined by ascertaining what are the rights of these majority and minority parties. In truth, and in a proper use of language, the government has no rights, but obligations to fulfill, in a contest between its principals, from whom it

derives its whole authority ; and the whole question of right is resolved when the right of the majority is ascertained. For that right alone confers the authority, and imposes the obligation upon the government, and, consequently, the obligation cannot be more extensive than the right which imposes it, as the agent can have no right which did not belong to his principals.

Accordingly, Mr. Hamilton said, in the 78th number of the *Federalist* :

“There is no position which depends on clearer principles than that every act of a delegated authority, contrary to the tenor of the commission under which it is exercised, is void. No legislative act, therefore, contrary to the constitution, can be valid. To deny this, would be to affirm that the deputy is greater than his principal ; that the servant is above his master ; that the representatives of the people are superior to the people themselves ; that men acting by virtue of powers, may do not only what their powers do not authorize, but what they forbid.”

[I cannot forbear to pause here, and remark how identical are the thought and language of this great man, with those of the equally great Taney in the *Dred Scott* case.]

And in the 45th number of the *Federalist*, he says :

“The state governments may be regarded as essential parts of the federal government, whilst the latter is in no wise essential to the operation or organization of the former. Without the intervention of the state legislatures, the president of the United States cannot be elected at all.”

By the “principals,” “the state legislatures” were referred to by Mr. Hamilton. He must have intended a majority of the principals, a majority of the state legislatures, or he stultified himself by first affirming that the principal is greater than his deputy, and then affirming that the deputy who has no principal, and, therefore, is no deputy, is supreme—for when the majority withdraw, or withhold their authority,

there is no deputy except for the minority, and as a minority cannot control a majority, so the deputies of a minority can have and exercise no power over the majority, or for it. If this were not so, then if twenty-nine out of thirty states refused to participate in the election of a president, the thirtieth, or one state, might elect a president not only for itself, but for the other twenty-nine. This is an absurdity, for which no one, I am sure, will contend, and, therefore, I conclude that there can be no doubt that a majority of the states may dissolve the Union.

Having ascertained what the right of the majority is, let us now enquire what is the right of the minority.

It will be conceded by every one that a minority in any government has a right to protection and exemption from tyranny, and oppression by the majority; and, in a government having a written constitution, it has a right to insist upon a strict observance of the constitution; and therefore, Mr. Hamilton said, in the 78th number, that “any act of a delegated authority, contrary to the tenor of the commission under which it is exercised, is *void*.”

The majority being bound, then, to observe the constitution strictly, and all its acts in violation of it being void, and the compact being obligatory only when fairly observed by all the parties, it results necessarily that when the constitution is not strictly observed, but is violated by the majority, to the injury and oppression of the minority, the minority have a right to declare that they will no longer submit to the unconstitutional and oppressive treatment, and to withdraw from all further connection with the majority. If they have not, then there is no constitution but the will of the majority, and the government, instead of a republican government, with a written constitution, is a despotism of the most detestable character, in which there is no security for life, liberty or property; for every one must perceive that if the majority is to be allowed to place its own interpretation upon the con-

stitution, and under color of it to violate the constitution at its pleasure, and hold the minority bound, there is no constitution for the minority at least, and every thing depends upon the will of the majority, which is the worst form of despotism.

To such a doctrine of blind submission and passive obedience Virginia has never assented, but under the lead of Madison, aided by the lights of Jefferson and Taylor, she declared, in her celebrated report of 1799, that each state was the judge of infractions of the constitution, and of the mode and measure of redress, and so Mr. Hamilton, in effect, declared, when he said, in the 33d number of the "Federalist:"

"If the federal government should overpass the just bounds of its authority, and make a tyrannical use of its powers, the people, whose creature it is, must appeal to the standard they have formed, and take such measures to redress the injury done to the constitution, as the exigency may suggest, and prudence justify."

But as the wrong must necessarily be committed by the majority, the language of Mr. Hamilton is nonsense, if the minority cannot withdraw, and must submit to "the injury done to the constitution," for there is no other measure which the minority can resort to, unless it be the newly suggested one, of fighting for the Union in the Union, which I will presently show is the most fallacious, and would be the most fatal which the south or any minority can adopt. Of necessity, therefore, the minority states must have a right to withdraw from oppression, if they are not the victims of the most unmitigated despotism on earth.

Again: It was conceded by the writers of the "Federalist," as I have shown, in the emphatic language of Mr. Hamilton, that the states were sovereign before the Union, and that they retained their sovereignty, except so far as they expressly delegated it to the federal government. It was also admitted that if the federal government transcended its au-

thority, there was no umpire between it and the people, and the remedy must be such as the people should adopt under the suggestion of the "exigency." Now, I beg to be informed how the people, in such an exigency, could act except through their state authorities; and, secondly, if they did act through their state authorities, and deeming that secession was the proper remedy "suggested by the exigency," should determine to secede, what would be the condition of their people if taken in arms?

Would they be traitors to the federal government, or not? One of the first attributes and duties of a sovereign state is to protect its citizens; and as the states retain all the sovereignty not expressly delegated, and have not delegated their right to resist unconstitutional laws, or the right to protect their citizens when acting under their orders, then their citizens, if taken in battle, would not be traitors to the usurper; for it must be a very imperfect and contemptible sovereign which cannot protect its citizens when acting in obedience to its orders, rightfully issued. But if the state has no right to secede, its orders to that end will not be rightfully issued, as far as the federal government is concerned, and then the citizens will be liable to the penalty of treason to the federal and state governments, at the same time; and therefore the consequence is that the states are bound to submit to any degree of oppression, and have no right to protect their citizens in the exigency supposed by Mr. Hamilton, or the right of secession is a right which cannot be parted with, and may be exercised without violating the constitution, or any law made under it.

Again—I have shown that there is no authority in the constitution to coerce "a delinquent state;" and the president, in his late message, very properly admits it, though his attorney general, by the most remarkable confusion of ideas, makes him deny the right to secede.

Now, Pothier informs us, that obligations are perfect and

imperfect—the imperfect being moral only, which we cannot be compelled to perform; and the perfect, legal, which we may be compelled to perform—and Paley informs us, that “Right and obligation are reciprocal; that is, wherever there is a right in one person, there is a corresponding obligation upon others.” If, therefore, a state has not the right to go out of the Union, it is because she is bound, by legal obligation, for there is certainly no moral obligation, to stay in it; and if she is thus bound to stay in, there must be some power to compel her to stay in it; and if there be no power to compel her to stay in, then she is not bound to stay in, and so may rightfully secede.

But, say our opponents, while a state cannot commit treason, her people may, and we will use hemp freely upon them. These are the modern Borgias of America; and the fate of the Borgias, I trust, awaits them, and the hemp which they prepare for the friends of equal right and constitutional liberty will adorn their own necks. The idea of thus punishing the people and pardoning the state, is as absurd as it is monstrous, and one which none but a Borgia could conceive and suggest, a compound as it is of force and fraud.

In the first place, why may not a state commit treason? What is a state? It is a political corporation; and if it is by allegiance bound to a larger and more powerful state, and it attempts to overthrow the government of that state, or rebels against its allegiance, it will be guilty of treason; and if conquered in war, it will be degraded into a province simply, and governed by a viceroy, and the persons composing the actual government at the time of the rebellion will be executed as individual traitors, as many cases in history attest, and especially our own. This branch of the doctrine evinces simple ignorance, but when taken in connection with the claim to treat the citizens of a seceding state as traitors, it imputes to the great and good men, at the head of whom stood George Washington, the purpose to practice a delibe-

rate fraud and cheat upon the country, unless the authors of the idea were as ignorant of the history of their own government as they are of the law of nations and the rights and duties of states. I have shown that the power to coerce a delinquent state, to use force against her, of which, as Mr. Yates informs us in the secret debates, Mr. Hamilton said, when urging the claim for power, "by force, I mean the coercion of law, and the coercion of arms," was denied. And yet, the men who whine and slaver most over Washington's urn, and extol, above all others, the constitution and its framers, impute to Washington and his associates the deliberate purpose to commit a fraud, and the actual perpetration of it, by refusing to confer upon congress the power to coerce a state in terms, because, as Mr. Madison said, the people would be offended, and would not consent to it, and it would dissolve the Union; and George Mason said the other states would never permit it: and then really conferring the same power in a worse form, by authorizing the federal government to punish the citizens of the delinquent state for obeying the laws, for passing which they refused to punish the state.

People of Virginia, do you believe that George Washington, George Mason, James Madison, and their illustrious associates were capable of such fraud—such villainy—or that any but the heart of a Borgia could impute it to them? The authority to enforce the laws of the United States was not intended to apply, and cannot be made to apply, to citizens of a state which has seceded from the Union, because those laws are no longer obligatory upon her, and the refusal to authorize coercion against a state shows conclusively that it was not intended in such a case to apply force to her people. It was intended only to enable the government to enforce the judgments and decrees of its courts, and suppress all individual acts of contumacy or resistance to the laws of the Union, while the Union is in existence. The only laws to which the constitution refers, are the laws of the Union;

and when, therefore, the Union is dissolved, the laws of the Union are abrogated—and it were as well to talk about enforcing the laws of China in America, or of America in China, under this clause of the constitution of the once United States, as to talk of enforcing the laws of those once United States in a state no longer one of those United States. This argument of the submissionists travels moreover in a circle. It first assumes that a state cannot secede, and therefore the laws may be enforced ; and then it assumes that the laws may be enforced—and thence concludes that a state cannot secede. It is difficult to determine which is the most offensive—the law, the logic or the patriotism of these reasoners.

If the convention had intended to deny the right of a state to secede, it would have so declared, and provided such remedy as it thought proper ; but with the knowledge of the views of Madison and Mason, heretofore quoted, it not only failed to deny the right, but refused to confer the power to coerce a state ; and it is shameful to impute to it the disreputable trick and cheat which the advocates of a force bill now impute to it. When a state goes out of this Union, no law of it can affect her—she will be free, sovereign and independent—and if assailed by the myrmidons of federal power, not only her sister states will rush to her aid, as Mason predicted, but the whole christian world will rally to her rescue, and scatter the carcasses of her assailants to the crows and buzzards.

I have said enough upon this point, I am sure ; but I beg leave, before I leave it, to quote two paragraphs from the declaration of independence, with the expression of my utter surprise, my amazement that any southern man should be found now to question the right of the southern states to protect themselves and their interests, their homes and their people, by the formation of a new government, and any Bourbon or Borgia among us to deny it. Those paragraphs are :

“ Prudence, indeed, will dictate that governments long es-

tablished should not be changed for light and transient causes ; and accordingly all experience hath shown that mankind are more disposed to suffer while evils are sufferable than to right themselves by abolishing the forms to which they are accustomed.

“ But when a long train of abuses and usurpations evince a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government, and to provide new guards for their future security.”

Having then the right to secede, ought the southern states to exercise it? My answer has already been given in the affirmative. But the submissionists say no. Let us wait for the overt act—the overt act by Lincoln. By some this is said honestly, under some strangely misguiding influence; with others, it is a mere fetch to obtain delay, and thus prevent any action. From respect to the honest, let us examine this idea of an “overt act,” an “overt act by Lincoln.”

What is an “overt act?” I presume, of course, they mean overt act of hostility to the south; overt then means simply “open, apparent, public.” Has not this been committed again and again? In the resolutions of Virginia, instructing her delegates to declare the colonies independent, one of the acts cited and relied upon, was the “enticing our slaves, by every artifice, to leave us, and then turning them against us.” Has not this been done again, and again, and again—nay, have not our citizens been beaten, imprisoned and slain, in the effort to recover their property which has thus been enticed away from their owners? And have they not done more than “turn them against us,” by hiring men to invade our soil, slay our people, incite our slaves to insurrection, burn our houses, and (in Texas) poison our springs. Could the devil and his legions if let loose upon us, commit more overt acts of deadly hate and war than these? Has it not been declared, by every non-slaveholding state, that we have no just title to our slaves; that the holding of them is

a sin which it is the duty of the holy thieves to purge us of? Have we not been denied our equal rights in the common property of the nation? And, finally, has not a man been chosen to wield the power of the government, because he approves of these sentiments and this warfare upon us, and has proclaimed that “the conflict is irrepressible;” that the nation cannot stand half slave and half free, and the mission of his party is to make the whole free? If these be not overt acts—open, apparent, public acts of hostility—what are or can be? Do our opponents mean to say, that we shall wait until our enemy has commenced the actual war upon us, before we take any steps for self-preservation and defence? If they were in court, defending a traitor under the definition of treason in the constitution, they would be compelled to admit that the raising of troops, with the avowal that they were to be used against the United States, would be “levying war” against the United States, and an overt act of treason, before a gun was fired.

But between states, a declaration of war is war, and is therefore an overt act. And when, then, our enemies have, in every form at their command, declared war against us, and finally selected their commander in chief because he approves the declaration; and the lieutenant general under him has, as I am told, actually furnished a plan of the campaign in the south, and the secretary of state has resigned because preparation for the war is not now made, shall we say that there has been no overt act, and quietly wait until the plans of our enemies have been fully consummated, their resolves matured into laws, and their army actually in the field to enforce them, before we, the southern states, place ourselves in condition to meet, anticipate and repel their blows? Shall we sit down, and take no adequate step to protect our people and defend our homes, until the army and the navy, which are paid by the treasury, which is filled by us, are in the hands of our enemies, to be used against us?

When information is given that the slaves in any neighborhood contemplate an insurrection, do the people wait until the insurrection is in full blast, and the assassinations have commenced, before they take any step to prevent it? When France arms at Cherbourg, does England take no notice of it, or does she not at once strengthen all her defences?

Do not our enemies counsel the president to increase his defences in anticipation of difficulty? Does not the lieutenant general offer a plan of military operations against us, and why? Not simply because of his hatred of the south—although it is as intense and vindictive as that of John Quincy Adams, and from a similar cause—but because, as a skillful and experienced soldier, he knows the importance of preparing for and anticipating his foe. Will the people of the south then shut both eyes and ears to all the teachings of history; to the very lessons of their enemy; to all the instincts of self-defence, and remain under a hostile government until it is prepared with the double armor of law and force to assail it? Will they continue to replenish the treasury, which is to feed the army and navy which are to fight against them, and subdue them, if possible, to obedience to their foes, and the spoil and pillage of their property?

I earnestly hope not. They owe it to themselves, their institutions, their homes and their families, to place themselves at once in an attitude of defence and protection, and this they can do only by seceding before the 4th of March next. But it is said that we must wait for an overt act from Lincoln. This is mere nonsense, and those who urge it stultify themselves. An overt act by Lincoln! What can Lincoln do? Nothing but execute the will of his masters. The overt act, if it has not yet occurred, must come from them. And what can they do more than they have done, except by act of congress to enforce what by state laws, mob laws, by emigrant aid societies, and by bullet and blood, they have already done; and if you will not regard these as overt acts, when commit-

ted by the principals (the non-slaveholding states), how shall you so regard them when done by their agents in congress?

But the overt act has been committed by the agents, as well as the principals; for both have denied your rights in the territories, and refused to protect them; and while they may bring what they please into your country, you are not permitted to travel even, in theirs with your servant, though its care may be necessary to a sick wife or child. What overt act can they commit which will justify resistance? Will it be the Wilmot proviso? You know they will pass it, because the lower house has already passed it as to New Mexico, and it was defeated in the senate, where it can never be defeated again—and if passed, what shall we do—go into New Mexico and re-enact the scenes of Kansas, and probably bring on a general war, or secede? The first, all patriots, and all lovers of peace should desire to avoid, and the last will be as unconstitutional then as now, and then you will have the government army in the field to fight you.

But enough for the present. I will resume the subject on another day, with your leave.

VIRGINIUS.

## Ought the Southern States to Secede ?

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CIRCUMSTANCES beyond my control, have put it out of my power to conclude the discussion until now, and now it is, I believe, wholly unnecessary to pursue it; at least, for me to do so. Events have determined the question in the affirmative, and made farther argument, as it seems to me, unnecessary.

South Carolina, thank God! has proclaimed her independence, and the grand and massive paper of Judge Allen, the chief justice, in fact of Virginia, has exhausted the argument; and I should certainly desist, if it were not from a desire to bring out a few additional authorities. Before I proceed farther with the argument, however, let me render, thus publicly, the homage of a grateful heart to Judge Allen, and express my admiration of the noble and patriotic stand which he has taken in behalf of his country, and of the pure and majestic style in which, and the invincible logic with which he has vindicated her claim to all that she demands, and demonstrated her right to resume the powers which she has granted, for the noblest purposes, to a government which has basely perverted them to the worst uses—to her injury and oppression. His paper will, in after time, be fitly regarded as a second declaration of independence.

In England, a zealous whig on the hustings is, in office, generally found cousin-german, at least, to a tory, and in this country, under a similar change, the ardent state rights man and bilious democrat, is too often found to be that puny non-descript, called “eminently conservative.” It is exceedingly gratifying, therefore, to those who have known this pure and

eminent judge through long years, to find that the charms of office and the quarterly dip into the treasury, have not changed his nature, or confused his intellect, and that he is still the same calm, determined, clear headed advocate of the rights of the states and the south, which he was when he entered life. Now for our mutton.

The enemies of secession may be divided into four classes :

1st. The anti-slavery men ; of whom there are a few, and thank God, only a few, and they are generally well known ; in the south. They would prevent secession if they could, in order to bring the south under the power of Lincoln's government, with a view to abolish slavery, and, as they believe, get our lands.

2nd. The political "rep's," who have subsisted long upon the hope of a good supply of federal pap, as the paupers in Paris feed on the odors of the kitchen, and the few followers who constitute their tail. They have nothing to hope from a southern government, and therefore, they would subject the south to any humiliation or injury in order to preserve the form of the government for the use of the north, from which their pap must come.

3rd. The modern federalists. They are honest submissionists, because they regard the government of the United States as a consolidated government acting upon individuals, and therefore they repudiate the idea of sovereignty in the states. They love a strong government for its own sake, and hate with equal intensity every thing like popular or democratic government ; and thus they love an overpowering federal government, and detest the state governments and the power of the people, although in the debate with Henry in the convention of Virginia, Edmund Pendleton said, "I never conceived it to be a consolidated government." And John Marshall, the great and illustrious leader of the federal party, said in the same debate, "We, sir, idolize democracy. Those who oppose it, have bestowed eulogiums on monarchy. We

prefer this system to any monarchy, because we are convinced that it has a greater tendency to secure our liberty and promote our happiness. We admire it, because we think it a well regulated democracy." But the modern federalist is wiser than Pendleton and more federal than Marshall.

4th. The stock owners, and old men, who think of nothing but their dividends and a comfortable old age, and who are, therefore, always in favor of the existing government, if it does not interfere with their ease, and exceedingly revolutionary if it does. Any change is to them an ague fit.

There are some whom sheer fear controls; but they are not sufficiently numerous to be called a class. The advocates of secession constitute on the other hand, really one great class. They are the lovers of well defined constitutional government, and so of constitutional liberty; who are impatient of any violation of their rights, and value the African slave, not only because he is profitable to them, but because he fills the space, which, if it could live in his clime, the mobocratic element would occupy, and thus secures the only nobility of men and women, which the really free white man can tolerate; and they believe that if the slaves were excluded and the mob introduced, there could be no republic: That the mob would prevail until quelled by military power, and that would be succeeded by a despot.

These constitute the great sentimental south. However amusing, and in some respects, beneficial, it may be to examine farther the motives of each of these classes of submissionists, it will, I think, be found to be entirely unnecessary to examine those of any but the first class, in order to determine the question in hand. I take up then, the abolitionists and their acknowledged allies, who now control the nation. And first, let us enquire, why are they abolitionists? They say they are so, because "slavery is the sum of all villainies"—that it is a crime, and their president elect has proclaimed from the stump at Leavenworth, that whenever touched, it

is to be dealt with as a crime; and upon this ground they profess to justify themselves in the assertion that slavery has no constitutional sanction or protection, and there shall never be another acre of the territory of the Union soiled by the foot of a slave. These are the known and avowed sentiments of the party which elected Mr. Lincoln; and, accordingly, the present house of representatives has rejected a resolution recognizing property in slaves, and the committee of thirty-three, in the house, and thirteen, in the senate, have virtually disbanded, because of the determination of the black republicans to abate nothing from their creed. Does the leader, who is to be the executive officer of the party, concur with the party? I have shown, by his speech at Leavenworth, that he did concur, and I submit that his silence at this moment shows that he still concurs; because, if he does not, and has any spark of patriotism or courage in him, he would say so. But it is not necessary to rely upon negative testimony, however pregnant with the affirmative, because there is the most direct and positive affirmative testimony. Thurlow Weed, of Albany, is well known as a political editor and intriguer, of the Seward and Lincoln school. He has lately paid a visit to Lincoln, of which so much has been said in the newspapers that he made the following publication of the result of his visit, which I have cut out of the New York Herald. Here it is:

*Thurlow Weed's opinion of the President elect.*

ALBANY, Dec. 24, 1860.—Thurlow Weed, in an article in to-night's Journal, alludes to his recent visit to Springfield, in the following terms:

Since the newspapers have made our recent visit to Springfield the occasion of remark, it may not be improper to say that an interview with Mr. Lincoln has confirmed and strengthened our confidence in his fitness for the high position he is to occupy; of his eminent qualifications for the great trust reposed in him; of his enlightened appreciation of the difficulties and dangers that surround us; of his desire that the free states, if in any thing delinquent, shall fulfill their constitutional duties; of his determination to require from all the states an enforcement of the laws and obedience to the constitution; and, finally, of his earnest and inflexible devotion to the principles and sympathies of republicanism.

None can doubt then that Lincoln is "*earnest and inflexible in his devotion to the principles and sympathies of republicanism.*" Aye! Not to the principles merely, but to the sympathies of republicanism. Sympathies of republicanism! What are they? Sympathy for your slaves and hatred of you, their masters! Why do such people object to your seceding from the union with them? Why do they desire to continue in daily connection with your crimes? Is it for the purpose of protecting and perpetuating the crime and the criminals? Every one must answer *no*, as Lincoln has answered *no*, when he said the crime must be dealt with as a crime. Then of necessity it must be for the purpose of *suppressing and exterminating the crime—which is slavery!* So determined are they to continue this criminal union with you, that the whole north rings with the cry to arms, to preserve it and whip the south into submission. Listen to the reports of the N. Y. Herald of to-day:

*Preparations for war in Massachusetts and New Hampshire.*

BOSTON, December 29.—There is no disguising the fact that Massachusetts is ready to respond promptly to any demand made upon her for troops to sustain the Union and the laws. I learn to-day, from the highest authority, that seven thousand troops can be put in marching order on twenty-four hours' notice, and that one hundred and forty-five thousand men are enrolled in the militia of this state. Of this number twenty thousand could be easily mustered.

The financial resources of Massachusetts were never in better condition for such an emergency, and the people are enthusiastic to be enrolled.

Adjutant General Abbott, of New Hampshire, arrived here this afternoon from Washington, and left immediately for Concord, with the intention of recommending to Governor Goodwin that the granite state be immediately put upon a war footing.

Considerable excitement exists in consequence of the reports that the muskets removed from the Springfield armory have been distributed over the south. Mr. Whitney, collector of this port, late superintendent of the armory at Springfield, returned from there to-night, having been there, it is supposed, with reference to the report from Washington to the Herald, that twenty thousand muskets have recently been taken from the armory and sold to Virginia.

The feeling is deep and not to be misinterpreted. There is no mistaking the fact that Massachusetts is in earnest in this crisis. The merchants are plucky, and the name of Anderson is uppermost in every conversation.

It is well known here among the leading republicans, that several of the governors of the great non-slaveholding states have agreed to recommend a firm and determined resistance to the secession movement of the southern states. The first states that will proclaim this policy in their forthcoming messages to their respective legislatures, are New York, Pennsylvania and Ohio, to be followed by the other northwestern states. The south are beginning to understand that they will have no sympathy or strength in the north, except from those who are opposed to the republican party. These facts, just developed, are doing much harm in the south, and accelerating the secession movement.

The Pennsylvania legislature will meet on Tuesday next. I learn from a well informed gentleman, just arrived from Harrisburg, who saw and conversed with the state officers and legislators elect, that one of the first acts of that government will be an appropriation of from one to five millions of dollars, and one hundred thousand men, armed and equipped, to aid the federal government in the preservation of the Union. It is believed by Governor Curtin that nearly all the northern states will follow this example.

The conduct of Major Anderson is universally commended by northern men of all parties, and by all Union men from the border states.

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From the Pittsburg Journal, Dec. 28.

*Public meeting in Pittsburg, Pa.—The big gun controversy.*

The most demonstrative public meeting that we have had in our midst in a long time, transpired at the courthouse yesterday afternoon. There seemed to have been a misunderstanding at the time of the meeting, and a large number adjourned to the Diamond market house, but there being no meeting there, they returned to the courthouse, and there they organized, and in an assemblage of some five or six thousand, the following proceedings were had. The following letter was read at the meeting:

ALLEGHANY ARSENAL, Dec. 27, 1860.

*To his Honor, G. Wilson, Mayor of Pittsburg:*

SIR,

It is perceived that some of the city papers in their morning issues, persist in publishing statements in regard to the operations of the United States arsenal, that should be corrected. I therefore respectfully request that at the public meeting of the citizens, to take place this afternoon, they will have this paper read. The statement of the Dispatch, that I informed its reporter last evening that there were no more orders to be filled, was in reference to his enquiry respecting the heavy guns. There are orders yet to fill of six months' standing, and more. The stores referred to in the Dispatch as 'boxes of muskets that left the arsenal that afternoon,' were fifty sets of horse equipments (in part of an order for five hundred sets) destined for Texas arsenal, for the United States troops serving on that frontier. So likewise another issue will be made in a day or two of ninety other sets, made by Messrs. Hartly & Co., contractors, of Pittsburg, and now in their workshops, who can state

how long they have had the order. These are destined for Leavenworth arsenal, for the troops in that vicinity. Furthermore, there is to be issued to the state of Tennessee, under the act of 1808, for arming the militia, 700 rifle muskets, to replace which 1,000 have been ordered from Harpers Ferry armory. And, finally, of unfulfilled orders, 500 muskets belonging to and sent here by the state of Kentucky, to be altered to percussion, are now being altered and refitted, the expense of which to be charged to that state, under the same act of congress of 1808.

JOHN SYMINGTON,  
*Major of Ordnance.*

After which the following resolutions were presented and passed :

Whereas, as citizens of the United States, attached to the Union, the constitution and the laws, we have learned with surprise and indignation that large quantities of heavy ordnance have been ordered from the Alleghany arsenal to points where no apparent immediate necessity for them exists, while other points where the necessity does exist are left undefended, and where they will be exposed to seizure at the hands of those who are now in a state of actual or threatened revolt against the government; and, whereas, our remonstrances against this act have received no notice from the proper authorities at Washington city; therefore, be it

1. Resolved, that notwithstanding the notorious fact that our rulers are disarming the friends, and arming the enemies of the Union, we feel that its friends are strong enough, even without other arms than their own, to sustain the constitution and the laws, and to follow and retake the guns thus ordered to be removed, in case they shall be traitorously employed against them.

2. Resolved, that we therefore deprecate any interference with the shipment of the said arms under government orders, however inopportune or impolitic the same may be, believing it would give color to the imputation that we have more respect for federal law than our fellow citizens of the seceding state of South Carolina, and decrease our moral much more than it could increase our material power.

3. Resolved, that we profess to be loyal to the Union of these states; that we regard the people of the south as much our fellow citizens as those of the northern states; that we regret that demagogues and traitors should have been able to deceive them into a contrary belief; and that, knowing no party here, and no north or south, we intend to observe our part of the compact, and shall expect and insist that all others shall do the same.

4. Resolved, that we greatly deplore the existence of such a state of things in connection with the administration of important departments of the public service at Washington as to have so shaken the confidence of the people of the free states therein, as to minister occasion for the disturbance which has prevailed amongst us.

5. Resolved, that to restore that confidence which every administration ought to enjoy in a crisis like the present, it behooves the president of the United States to purge his cabinet of every man who is known to have been giving aid and comfort, or in any wise countenancing and abetting the actual or apprehended revolt of any of the states against the authority of the constitution and the laws of this Union.

6. Resolved, that while Pennsylvania is on guard at the federal capital,

it is her especial duty to look to the fidelity of her sons, and in that view we call upon the president of the United States, as a citizen of the commonwealth, to see that the republic receives no detriment while it continues in his hands.

Gen. William Robinson, jr., presided, and Hon. Thomas Williams and Gen. J. K. Moorhead, M. C., were the principal spokesmen. Gen. Moorhead spoke in perfect consonance with the tone of the resolutions, and Hon. Thomas Williams urged the passage of the resolutions—the vote for which was unanimous, with a very few exceptions. Hon. Charles Shaler made a speech inside of the courthouse to a large audience, which set forth that resistance to the federal authority at the arsenal would be treasonable, but opposition to transportation through our streets would only be in violation of state laws, and resistance to their actual shipment would be as justifiable as the acts of South Carolina.

The resolutions above given, as adopted at the meeting, have the support of a majority of our community, and are eminently worthy of the endorsement of all.

Our telegraphic dispatches give the latest news from head quarters of secession. Our people are determined to secure justice, and nothing short of it will satisfy them.

And the following from the Richmond Whig:

It is stated that General Scott, several days ago, submitted to the president a plan for the blockade of Charleston, besides strongly reinforcing all the southern garrisons, and other military preparations; but this was not favorably received.

*Sumner and Hickman denounce compromises.*

Hon. Charles Sumner of Massachusetts was serenaded in Philadelphia on Wednesday evening, after delivering a lecture. He responded by declaring that the last election decided that the territories should be forever free. He was opposed to making any more compromises, and he thought the people were also. All that is needed now is firmness and prudence; he thought the party would in future show the same firmness they had at the ballot-box. [Applause.]

Hon. John Hickman also spoke as follows:

I never was a compromise man, nor am I one now. [Applause.] It is no use for the north to compromise; it is not safe. There is an eternal antagonism between freedom and slavery, and it must be met now, and the interest of the white man should not be forgotten, so far as his vote is concerned. I want to know if the government is worth any thing. I do not think my people want me to compromise their interests, and if they do, I will not do it. [Cries of "good."] Every compromise that has been made has been violated by the south. There is an eternal antagonism that must be settled, and we may as well have it settled now as at any other time. [Applause.]

Capt. Phelps, of the United States army, followed in some remarks. He announced his willingness to enroll a regiment of volunteers in Chester county, Pa., if the people wished it, to be placed at the disposition of the sovereign of the United States, for the preservation of the Union and the constitution, and he cared not whether it was James Buchanan or Abraham Lincoln.

This lieutenant general of the army, who is mentioned in the first of the preceding paragraphs is, as every one knows, a Virginian by birth, a native of the county of Dinwiddie, though a New Yorker in taste and residence, who has long since declared that slavery ought to be extinguished. Now, Virginians, I ask you, what have you to hope for, from the native of the north, the black republican, whose nature has been never softened by the genial climate and social intercourse of the south, when this your brother of Virginia, thus pants for war, and is eager to lead the myrmidons and mercenaries of the black republican government against you? Why do these people desire to make war upon you and slay you, and subjugate your children and desolate your land? Do you suppose that it is for the purpose of preserving an institution to which they deny legal existence, and which they denounce as a crime? Or is it not because they can, in no other way, manifest their "sympathy with republicanism"—their sympathy for your slaves, and their enmity to you? They know that if you go out of the Union, and take your slaves with you, they cannot manifest their sympathy for the one, and their hatred of the other; and, therefore, they desire to keep you, where they can do both, *in the Union with crime!* until they can extinguish, exterminate the crime, by abolishing slavery; and then, oh, God! what will be the scenes which you Virginians, who may survive the war, will witness? The history of the massacres of St. Bartholomew and St. Domingo, furnish but an imperfect glimpse of what must be your fate, and the fate of the south, when four millions of slaves shall be emancipated and turned loose upon you, your wives, your daughters and sisters, with the government army in possession of every fortress within your limits, ready to sustain and protect them against you. Oh! Virginians, will you not learn wisdom from your enemy, and avail yourselves of the warning and the time for preparation which God allows you? Are you deaf and blind, that you

will not see and hear, and require yet more to convince you that you should secede without delay? Will nothing convince you but the war-whoop and the sound of the clarion, as the army of Lincoln, led by your Lieutenant General Scott, marches upon you, to slaughter your people and desolate your land? Will you wait unprepared, like men stupefied with terror, until the shrieks of your women, amid the flames of your homes, shall arouse you, too late, to sense and to shame? The government is crumbling around you; to what end shall you remain in connection with it? Some say, for the sake of the Union—to preserve the Union—the glorious Union, as they term it. To these, I reply that there is no Union; the Union of which they speak is at an end—the glorious Union, long since, at an end. Its glory, for years, has been acquired by the violation of the constitution, and the pillage and oppression of the south; and the states of the south have resolved to submit no longer. South Carolina, the game-cock of the south—the noblest republic on earth—has led the way, and now guards our Thermopylæ. But if she had not broken the accursed bond which bound you to the feet of your oppressors, would not you Virginians, who have hitherto led the hosts of constitutional liberty, now burst them and free your country from the tyrants who oppress you? The Union—what is the Union but your form of government designed to protect you, your property and your liberty, which was glorious while it did so, because it did so, but is now as odious because it does not, as it was glorious because it did? The glory of the Union is nonsense. The glory of a government is the glory of the nation—and Vattel informs us, that “the true glory of a nation consists in the favorable opinion of men of wisdom and discernment; it is acquired by the virtues or good qualities of the head and the heart, and by great actions, which are the fruits of those virtues.” What claim has the Union now to be entitled glorious, under this definition? But, if it still were glorious to all the rest of the

world, and unjust, oppressive and tyrannical to you, would you submit to it? Have you degenerated since the days of your fathers? If you have not, then look upon their deeds, and listen to their words, and imitate the one and profit by the others. When Patrick Henry and his prophetic associates foretold the aggressions of "*the Union*," Mr. Madison replied in the 45th number of the *Federalist*, in the following noble and emphatic language :

"We have heard of the impious doctrine in the old world, that the people were made for kings, not kings for the people. Is the same doctrine to be revived in another shape, in the new, that the solid happiness of the people is to be sacrificed to the views of political institutions of a different form? It is too early for politicians to presume on our forgetting that the public good, the real welfare of the great body of the people, is the supreme object to be pursued, and that no form of government whatever has any other value than as it may be fitted for the attainment of this object. Were the plan of the convention adverse to the public happiness, my voice would be, reject the plan. Were the Union itself inconsistent with the public happiness, it would be, abolish the Union.

If you have not degenerated, then, Virginians, awake to the dangers which surround you, and arise and meet them with the dignity and determination which become you, and they call for, and, in the language of James Madison, "*abolish the Union*."

VIRGINIUS.



## Ought the Southern States to Secede ?

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IN addition to the considerations mentioned in my last number, let me add a few others of similar import. I have shown that the people, who are now most violent in their denunciations of South Carolina and all seceding states; the most vociferous in favor of the Union; and the most bloody in their programme of coercion, are the freedom shriekers, and the men who denounce slavery as a daily crime. Let me add, that they are the freedom shriekers who expelled the south from Kansas, and now support Montgomery and his lawless band, so that the "freedom shriekers" and "the Union shouters" now shriek and shout in the same key, from the same platform, and that platform is "the Union," "the glorious Union." Can you, Virginians, stand upon this same platform? Is the platform of Seward and Lincoln, Hale, Wade, Banks and Giddings, the platform of the south? If it is, then are we guilty hypocrites, and criminals, who deserve that Lincoln and his lieutenant general, with their myrmidons, should overrun and subdue us, for having by different professions, and opposition to the abolitionists, aroused them to their present fury—and we are unworthy to take position in the line with South Carolina.

But if their platform is not ours, then is the Union, which is their platform, not a Union for us, and we may claim fraternity with the gallant men who have imperiled all for honor and liberty, and over whom I pray that the God of peace and of battles will watch, and give them peace, if it may be, and if war must come, bear them safely through it, victorious over every foe.

Again, Vattel, at p. 4, says, "The end or object of civil society is to procure for the citizens whatever they stand in need of, for the necessities, the conveniences, the accommodation of life, and in general, whatever constitutes happiness—with the peaceful possession of property, a method of obtaining justice with security, and finally, a mutual defence against all external violence."

Again, at page 3, he says, "Finally, several sovereign states may unite themselves together, by a perpetual confederacy, without ceasing to be, each individually, a perfect state. They will together constitute a federal republic; their joint deliberations will not impair the sovereignty of each member, though they may, in certain respects, put some restraint on the exercise of it, in virtue of voluntary engagements. A person does not cease to be free and independent when he is obliged to fulfill engagements, which he has voluntarily contracted."

And again, he says, "We have said that an independent nation, which, without becoming a member of another state in order to obtain protection, is released from its engagements as soon as that protection fails, even though the failure happen through the inability of the protector."

Now, I submit that whether you regard this Union as a federal republic as Vattel defines it, and we the secessionists maintain it is, or whether you regard it as a consolidated government, as the coercionists do, it has for many years past failed in every one of its duties to the south, the performance of which was necessary to bind the south to it, and threatens still more wrong, viz :

First—It has permitted the northern states to slander and revile us; to plunder us of our property; to slay our people—and thus has failed to afford us protection :

Secondly—It has thus failed to promote our happiness, which it was its duty to do :

Thirdly—It has not secured to us the peaceful enjoyment of our property:

And lastly—It has not afforded us a method of obtaining justice, because it has permitted the northern and eastern states to pass laws to defeat our justice; and the party now controlling the Union, has avowed its purpose still farther to deprive us of justice, by corruptly reorganizing the supreme court.

And now, absolved, as by these misdeeds you are, from all farther obligations to this Union, the land resounds with the cry “to arms,” in order to subdue you, because you will not submit to farther oppression and degradation, if not destruction.

What motive have you for remaining under such a government? What good can you accomplish; what evil avoid by it?

The submissionists reply—

1. You can't protect your property, your slaves especially, out of the Union. To which I reply—there is not the least foundation for that idea; but if there is, our condition will, in that respect, be no worse than it is now, and will be always in the Union; and certainly must be better—for once out of the Union, we can form foreign alliances, if need be, which now we cannot.

2. There will be constant trouble with the north. To which I answer, that cannot well be worse than it now is, and must be better; because when out of the Union we can, by law, cut off the northern trade, and exclude its citizens from our country, if they molest us, which now we cannot do.

3. They say that we cannot bear the expenses of our own government. To which I reply, that this idea is wholly unfounded; for we, the south, now defray not only the expense of governing ourselves, but a large part of that of governing the rest of the Union; and when out of the Union, we shall

have the expense of our own government only to maintain, and our revenue will increase by the restoration of our trade.

And finally, they say, that in order to get out, we must have civil war. To which I answer, that we shall not have civil war, if the southern states go out, and that we shall certainly have it if we remain in, unless we submit to be plundered of our property, and amalgamate with our negroes.

But is this an argument to be treated otherwise than with scorn? It is an appeal to your fears, as an inducement to surrender your honor and your liberty, your property and your institutions. Are you, Virginians, the descendants of those men who pledged their "lives, their fortunes and their sacred honor" for the maintenance of a conflict for liberty, with a better, a stronger, and even more glorious government than this, and tamely bear an insult such as this? Are you so degenerate, so mercenary, as calmly to listen to, and coolly to weigh an argument which counsels you to slavery and dishonor, because it may be dangerous, and not profitable at first to be otherwise? God forbid. Spirits of Washington and Jefferson; of Madison, Marshall and Lee; of Marion, Sumter and Moultrie, forbid.

'Twere insult enough to offer such an argument to you at any time, but it is insufferable at such a moment as this, when you are threatened with a war the most nefarious which has ever disgraced the earth since the partition of Poland. When the age is to be insulted, and humanity and christianity outraged, by the attempt to overrun with armed mercenaries the fairest land on earth, and kill and subjugate its people because they desire peacefully to change their form of government, in order to preserve their liberty—promote their happiness and protect their property—and this by men who worshipped Kossuth, who idolize the noble Garibaldi, and stimulate the discontented all over the world to rise in the name of liberty, and overturn their government—and call themselves your brethren and peacemakers!! A generation of vipers,

as well as hypocrites, why do ye not burn the declaration of independence, denounce the name and memory of Washington, destroy his statue, and convert Mount Vernon into a swine yard? For if we deserve death for resisting you, you must believe that Washington was a traitor, who should have changed places with Andre. Can the people of the south justly anticipate any thing but injury and oppression from a people who now threaten and urge war upon them, simply because they desire to resume their original form of government, under which they lived prior to the establishment of the present constitution? Was ever war so monstrous, inexcusable, inhuman and iniquitous—so utterly at war with the principles upon which the Union was formed, and with the spirit of the age in which we live? Never before, in the history of the world, has such a war been waged upon any state of a federal republic, which chose to separate itself from the other states, leaving them the possession of their government and of all their rights; and there is no principle upon which it can be justified, which will not equally justify the pirate, the highwayman and the common plunderer. Nor, was ever war so absurd; for when it is over, if it ever is, and God has permitted us to be conquered, as he will not, what will the conquerors do with the conquered country? How will they hold and govern it? Who will be the satrap, who will venture to live in a conquered country, surrounded by enemies, who are kept down by force. Perhaps the gallant lieutenant general will, who was so pacific to the Indians, and so unwilling to march against the Mexicans, but is now so eager to involve his native land in war, and regale his mercenaries with the blood of his countrymen. His pay and rations are dear to him, I know, for no man is less qualified to live without them—but let me tell him, in the language of Edmund Burke, when resisting in parliament the war upon the colonies, that when the war is over he will find “That the south is not subdued. Not one unattacked village which

was originally adverse throughout that vast region, has yet submitted from love or terror. You have the ground you encamp on, and you have no more. The cantonments of your troops and your dominions are exactly of the same extent; you spread devastation, but you do not enlarge the sphere of your authority."

Let me tell him, however, that he will never bring us to that condition, for in the language, again, of the distinguished British statesman (Burke), "in these southern states (colonies) the spirit of liberty is more high and haughty than in those to the northward. In Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege; and these people of the southern states (colonies) are much more strongly, and with a higher and more stubborn spirit, attached to liberty than those to the northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such in our day were the Poles; and such will be all masters of slaves, who are not slaves themselves. In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible." And as to this pettifogging and absurd idea of treating the citizens of the seceding states as criminal offenders against federal law, I beg leave to silence and forever extinguish it, by applying to it the language of Edmund Burke, when a similar proposition in respect to the colonies was made in the British parliament. He says, "At this proposition I must pause for a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters, that there is a wide difference in reason and policy between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dis-

sensions, which may from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic to apply the ordinary ideas of criminal justice to this great public contest. I do not understand the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar. I am not ripe to pass sentence on the gravest public bodies entrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think that for wise men this is not judicious; for sober men not decent; for minds tinctured with humanity, not mild and merciful."

As if however to render their cause more infamous and detestable, if possible, in the eyes of christendom, we have been told that we have an internal foe to guard against; insurrections have been attempted and servile war is threatened as the adjuncts of the semi-civilized but savage warfare of the white men. To the unearthly and infernal demons who make this suggestion, let me give the rebuke of Edmund Burke to the British government, when a similar suggestion was made by the enemies of the south of that day, when he said, "With regard to the high aristocratic spirit of Virginia and the southern colonies, it has been proposed, I know, to reduce it by declaring a general enfranchisement of their slaves. This project has had its advocates and panygerists, yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free as it is to compel free men to be slaves; and in this auspicious scheme we should have both these pleasing tasks on our hands at once. But when we talk of enfran-

chisement, do we not perceive that the American master may enfranchise too, and arm servile hands in defence of freedom? a measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.” And to this let me add the enquiry, What would be the condition of the grand army of the lieutenant general, if the slaves of the south were told, You shall have a hundred dollars for every soldier you may kill, and your freedom too, if you desire it, with the plunder of the camp? But I recur to the enquiry, What can you hope for by continued union with men who without provocation have persecuted you for thirty years, and now propose to show their love for you, by making war upon you in the most savage and inhuman form? Will they be less unjust and oppressive in the future, because they find you timid and submissive now? or will they not, when taught by your craven spirit to despise you, become more insolent, oppressive and tyrannical?

There are some, however, who still cling to the hope of adjustment, or oppose secession as the remedy, and call for a convention of all the states, or favoring secession, advocate what is called a central confederacy—and one at least—*nomen præclarum*—entitled always to be heard with respect, suggests that we fight in the Union, for the Union, for the army and navy.

Let us examine briefly these different suggestions:

1. The hope of compromise—It is an *ignis fatuus*, which can only have the effect of preventing you from making any preparation for your defence until Lincoln is installed, and all the materials of war prepared. No sane man, who is candid, can really hope for it.

2. A convention of all the states—Can any thing more fatal to the south be conceived? What is the cause of our present troubles? The faithless refusal of the non-slaveholding states to comply with the guarantees of the present constitution; and does any man really believe that the peo-

ple who will not comply with the present guarantees, will give you better ones? The difficulty is not that the present guarantees are not adequate, but that they are disregarded by the anti-slavery majority; and the south would be perfectly content if those guarantees were observed.

If, then, the enemies of the south are willing to give stronger guarantees, *a fortiori*, they would observe the existing guarantees; and it is certain, therefore, that if they will not observe existing guarantees, they will not give others which are better.

But what will guarantees effect but to cheat and delude; for the same majority, which is unjust and unprincipled enough to violate existing guarantees, could just as easily, and would, violate new ones. Is it not absolutely certain, however, that the constitutional guarantees, which a convention formed now would give you, would be inferior to those now existing, for else there would be no necessity for a convention. But does any man doubt that any convention which should meet now would deprive you of your slave representation, and thus at the very outset weaken you incurably? The same thing may be said of a central confederacy, in which the anti-slavery party would necessarily prevail.

In truth, in my opinion, the real design of some of the prominent movers of these schemes is to betray the south, and carve out a little kingdom for very small men.

3. I come to consider the idea of fighting in the Union, &c.

To this scheme the first objection is, that with the present parties there ought to be no union by the south, as I have endeavored to show; there cannot be a fraternal and equal union between southern slaveholders and northern fanatical abolitionists: and if this be true, then there is no Union to fight for, except the union of the southern states, if it is denied us.

The next objection is, that war is the very thing to be avoided if practicable, not only because it is a terrible cala-

mity, but to make it, is the abandonment of the ground upon which we stand, of a right, peaceably, to secede. And then who would we fight for the army and the navy? Of course the army and navy themselves: and to enable us to do that in the Union, we must continue to pay duties to furnish money to maintain and equip the army and navy, which we are fighting, and must at the same time maintain our own forces. It seems to me that this would be most impolitic, and by all means to be avoided. But suppose we did so, and whipped the army and navy, what should we do with it? We should hang the lieutenant general of course, and then be like the boy who caught the bear. We should have an army and navy which we did not want, and could not keep, and must of course place again immediately under the control of a black republican government, in order that we might have the fun of fighting them again. But I cannot perceive how or where such a war would begin. Should we invade the northern states, and make war upon them? I think every one will answer no. Should we attack Washington, and drive off the government? If we did, then, instead of having a Union, we should ourselves have dissolved the Union, and destroyed the government: and then the question would arise, How should we establish another government in the Union? I confess I cannot comprehend the scheme, or see any thing but ruin to the cause of the south in it. But if it were possible to define such a scheme, so as to make it intelligible and practical; yet it would, it seems to me, be the worst possible for the south, because it would, in the eye of the nation and in the estimation of the world, make the south the aggressor, not seeking peaceably to establish a government for herself, but to overturn by arms the government of the other states, and would justify the nefarious and inhuman war which is about to be waged upon her; which I beseech her not to do, and pray to God not to permit her to do.

We are in the right now: let us continue so. If all the

principles of the revolution of 1776 are to be overthrown and trampled upon in our blood ; if the declaration of independence is to be proclaimed a lie by the American Union, and under its flag—the sword is to settle questions of political right, and her army dictate a government to our people, let us preserve our attitude of unoffending right and defence, and appealing to the arbiter of all human events for the justice of our cause, bravely meet our foe, confident of victory, and we cannot fail. God will not desert us in such an hour ; and the Christian nations of Europe, who will not permit even the Turk to be oppressed, will not stand idly by and see another unoffending christian nation rudely overrun and basely slaughtered, because it claims the right to govern itself. But if they do, we will still preserve our freedom, or die with honor. If the spirit of Garibaldi could free Italy, the south can never be conquered while her sons are faithful, and have Lee, Garland, Davis, Shubrick, Ingraham, Huger and the Magraders to lead them.

VIRGINIUS.



## A P P E N D I X .

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As will be seen from their tenor, when the foregoing numbers were written, South Carolina only had seceded. Since that time, Georgia, Alabama, Mississippi, Florida, and most probably Louisiana, have seceded, and the black republican party has assumed the most uncompromising and defiant attitude. In the senate, resolutions of compromise were offered by the venerable senator from Kentucky, Mr. Crittenden, which were eminently favorable to the north, and not, in my opinion, just to the south, though offered, I am sure, with the best motives. By a unanimous vote of the black republicans in the senate, the resolutions of Mr. Crittenden were rejected, and the violent declaration of war against the south, contained in the resolutions of Clark of New Hampshire, which are appended hereto, was adopted; and a resolution containing a similar declaration of war, has been passed by the house of representatives; and it is the well known and avowed purpose of the black republicans to blockade all the southern ports and destroy their commerce, as a means of subjugating them.

A considerable part of the federal army has been concentrated upon the border of Virginia, in and near Washington; and Mr. Lincoln, the elected chief of the black republicans, has selected as his chief adviser, his prime minister, William H. Seward, the constant and unscrupulous enemy of the south, *and the author of the bloody Rochester manifesto.*

What better, what stronger evidence of the determination of Lincoln to carry out all the plans and purposes of your enemies, and pursue you with fire and sword, can you desire,

or can be given, than the selection of such a man as his principal adviser and first cabinet minister? What ground is there for hope, even, of peace and safety in the Union with Lincoln and Seward, and the party which they represent? Your senators, in whom you have so long confided, in an address to you, also hereto appended, have testified to you that there is none. In the face of all this testimony, will you hesitate, Virginians, to resume the power which you granted to the federal government, not that it might oppress and enslave you, but that it might protect you and preserve your liberty?

Recollect, I beseech you, that if you yield now, you will be enslaved forever; for the ground assumed by your enemies is, that you have not the right to secede, and they have the right, by arms, to subdue you, and, by the judgment of their courts, to hang you, if you attempt it. Recollect, that the government is, by this theory, made a military government, and not a government of the popular will of a free people: Nay, that it is now a military government, administered mainly by the commanding general of the army; and, surrounded by the army, sustained by its cannon and bayonets, this black republican president is to be invested with supreme power; with the command of that very army as well as of the navy. Is not this the first step always of a military despotism?

And now, when you also recollect that fortress Monroe and fort Calhoun, upon your own shores, and commanding your noble harbor and its commerce, now is and will continue to be in the hands of your enemies, and under the control of their president and his army, resistance to whom will be treason, and submission dishonor and ruin—what excuse will you be able to offer to your children, to your posterity, and your country, for your failure, if you should fail to avail yourselves of the time and opportunity which are now offered you to rescue them from this ruin, and preserve their liberty?

Recollect, that if you separate yourselves from the south, you must be allied to the north, and governed by the men who have already oppressed you, with your power of protection diminished by the secession of the south: and if you and they together could not protect your rights, how can you do so, when deprived of their aid? Can you doubt for a moment that in such a condition you will be ground to the dust in poverty? Cut off from the south, your negroes will be immediately emancipated, or rendered equally valueless and more dangerous, by the aid and sympathy of their friends, and your enemies, your northern allies.

Recollect, that if you go with the south, you will probably, nay, certainly, carry all the border slave states with you, and thus prevent, by the power which will be exhibited, a civil war—while, if you separate yourselves from the south, you will make civil war certain—and then, in the Union, you must, as traitors, as they say, fight against the Union, or join the black republicans, and fight against the south—which I am sure you will never do.

In the name of liberty, for the sake of peace, for the love of honor, justice and equality, by your love of Virginia, and her ancient renown, I beseech you, Virginians, to strike while there is yet time, to preserve the liberty and protect the property of the people, and save the state from the pollution of black republican rule.

VIRGINIUS.

## ADDRESS

*To the People of Virginia, from their Representatives.*

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The following address to the people of Virginia has been adopted by ten of fifteen of their representatives in congress. The paper was not presented to Hon. Wm. Smith, he being detained in Virginia by illness :

## TO THE PEOPLE OF VIRGINIA.

We deem it our duty, as your representatives at Washington, to lay before you such information as we may possess, in regard to the probable action of congress in the present alarming condition of the country.

At the beginning of this session, now more than half over, committees were appointed in both houses of congress, to consider the state of the Union. Neither committee has been able to agree upon any mode of settlement of the pending issues between the north and the south.

The republican members in both committees rejected propositions acknowledging the right of property in slaves, or recommending the division of the territories between the slaveholding and non-slaveholding states, by a geographical line.

In the senate, the propositions commonly known as Mr. Crittenden's, were voted against by *every republican senator*; and the house, on a vote by yeas and nays, refused to consider certain propositions moved by Mr. Etheridge, which were even less favorable to the south than Mr. Crittenden's.

A resolution, giving a pledge to sustain the president in the use of force against seceding states, was adopted in the house of representatives by a large majority; and in the senate, every republican voted to substitute for Mr. Crittenden's propositions, resolutions offered by Mr. Clark of New Hampshire, declaring that no new concessions, guarantees, or amendments to the constitution, were necessary; that the demands of the south were unreasonable, and that the remedy for the present danger was simply to enforce the laws—in other words, *coercion and war*.

In this state of facts, our duty is to warn you that it is vain to hope for any measures of conciliation or adjustment from congress, which you could accept. We are also satisfied that the republican party designs, by civil war alone, to coerce the southern states, under the pretext of enforcing the laws, unless it shall become speedily apparent that the seceding states are so numerous, determined and united, as to make such an attempt hopeless.

We are confirmed in these conclusions, by our general intercourse here, by the speeches of the republican leaders here and elsewhere, by the re-

ent refusals of the legislatures of Vermont, Ohio and Pennsylvania, to repeal their obnoxious personal liberty laws, by the action of the Illinois legislature on resolutions approving the Crittenden propositions, and by the adoption of resolutions in the New York and Massachusetts legislatures (doubtless to be followed by others), offering men and money for the war of coercion.

We have thus placed before you the facts and conclusions which have become manifest to us from this post of observation, where you have placed us. There is nothing to be hoped from congress; the remedy is with you alone, when you assemble in sovereign convention.

We conclude by expressing our solemn conviction that prompt and decided action by the people of Virginia in convention, will afford the surest means, under the providence of God, of averting an impending civil war, and preserving the hope of reconstructing a Union already dissolved.

(Signed)

J. M. MASON.

R. M. T. HUNTER.

D. C. DEJARNETTE.

M. R. H. GARNETT.

SHELTON F. LEAKE.

E. S. MARTIN.

H. A. EDMUNDSON.

ROGER A. PRYOR.

THOS. S. BOCK.

A. G. JENKINS.

*Washington City, 22d January 1861.*

## RESOLUTIONS

*Offered in the Senate of the United States, 15th of January 1861, by Mr. Clark of New Hampshire, as a substitute for the Resolutions of Mr. Crittenden.*

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Resolved, that the provisions of the constitution are ample for the preservation of the Union and the protection of all the national interests of the country; that it needs to be obeyed rather than amended, and that an extrication from our present danger is to be looked for in strenuous efforts to preserve the peace, protect the public property, and enforce the laws, rather than in new guarantees for particular interests, compromises for particular difficulties, or concessions to unreasonable demands.

Resolved, that all attempts to dissolve the present Union, or overthrow or abandon the present constitution, with the hope or expectation of constructing a new one, are dangerous, illusory and destructive; that, in the opinion of the senate of the United States, no such reconstruction is practicable, and, therefore, to the maintenance of the existing Union and constitution should be directed all the energies of all the departments of the government, and the efforts of all good citizens.





